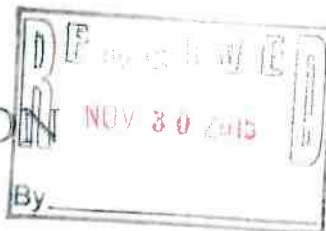




TOWN OF EAST HAMPTON

300 Pantigo Place – Suite 105
East Hampton, New York 11937-2684



Planning Department
Marguerite Wolffsohn
Director

Telephone (631) 324-2178
Fax (631) 324-1476

Technical Analysis Memo

Lead Agency: (not applicable)
Planner: Tyler Borsack *TB*
Date completed: November 19, 2015
SEQRA class: Type II
Physical Location: 257 Fairview Ave.
School District: Montauk
Zoning District: B Residence
Overlay District: N/A
Tax Map Number: 300-019-07-44.19
Applicant: Chris Robins
P.O. Box 826
East Hampton, NY 11937

Site Plan
Sub Waiver
Subdivision
Special Permit
Zone Change
Variance XX
Natural Resources
Special Permit
Other:

Telephone: 631-433-3873
FEMA ZONE: X Flood Zone
Soil Type: Montauk fine sandy loam, 30 to 8% slopes (MfB)
Map of Property: Montauk Beach Development Corporation Subdivision No. 7, map no. 1017, lot 3 & abandoned portion of Gilbert Rd.
Size of Parcel: 18,089.94 sq. ft.

Project Description:

To demolish the existing residence and construct a new approximately 2,706 sq. ft. two story residence outside of the Town's Pyramid regulations.

Relief Requested:

One variance of 11'¼" from §255-11-72D (Pyramid) is required to allow the residence to be constructed outside of the town's pyramid regulations, and any other relief necessary.

Property Conditions and History:

The property is currently improved with a one story residence with driveway, and decking. The most recent certificate of occupancy issued on the property was in 2003 for "1,000 gal septic tank with 300 sq. ft. leaching pool". Prior to that a C.O. in 1984 is for a "1-story, frame, 1-family residence, having 1 kitchen only". All of the proposed improvements can be found on the Kenneth M Woychuck Land Surveying, PLLC survey dated revised 11/5/15 and on the Edward A. Batcheller LLC building plans dated 6/11/15 and received November 10, 2015. The property has never appeared before the ZBA previously.

Planning Department Analysis and Recommendations for the Boards Consideration:

The property is located along Fairview Avenue in Montauk, an area that is well known for its extensive wetland systems, including Peters Run to the north; however, the proposed residence and associated structures do not fall within Natural Resources Special Permit jurisdiction of the wetlands. Wetlands do exist off the property to the north, west, and east and the existing sanitary system is located approximately 125' from the wetlands to the northeast.

The applicant is before the Board to request a variance to allow the residence to be constructed 11'¼" outside of the Town's pyramid regulations. Originally, the applicant was requesting a 15'7" variance from pyramid. However, the most recent submission moved the proposed residence 5' to the east in order to reduce the required variance approximately 4.5'. The residence was originally proposed to be located 15.5' from the side yard lot line, where a 15' setback is

required, which is the same setback the previous residence had to the lot line. The new location is setback 20.5' from the side yard lot line at it closest point.

In addition, the first submission also showed a new sanitary system located on the southeast side of the proposed residence which would have met wetland setbacks from the wetlands to the east. The current survey does not propose a new sanitary location. The existing sanitary system is located approximately 125' from the wetlands to the northeast. The Planning Department would encourage the Board to have the sanitary system relocated to a more conforming location, at least 150' from wetlands, to help improve the conditions on site. With such a dramatic increase in the size of the residence, one story increasing to two, there is the potential for a large increase in the impacts the sanitary system can have on the nearby wetlands. The time to relocate the sanitary system to a more conforming locating would be now when a redevelopment of the parcel is already taking place.

Extensive freshwater wetlands occur north, west, and east of the property. They are part of a wetland system that contains the watercourse known as Peters Run. It is through these extensive and complex freshwater wetlands that water flows through a series of marshes, swamps, watercourses, ditches and culverts eventually entering into southern Lake Montauk.

Because the proposed project is not within NRSP jurisdiction, the Board may not be able to establish a nexus that would require leaders and gutters into drywells, but the applicant at the very least should consider, and the Board may want to encourage, adding them to the residence to help limit runoff and alleviate possible flooding issues in the area.

The Board should take neighbor comments into careful consideration. The pyramid regulations, like lot line setbacks, were implemented to protect neighboring properties from development close to their property lines. The applicant must demonstrate compliance with the Variance standards of § 255-8-50 of the Town Code in order to be eligible for the issuance of the requested variances.

Recommended Project Conditions:

1. N/A

ROUTING LIST

Directions: Check to indicate recipients. Initial after material has been routed.

* = Routed via e-mail

Routing of material to be mailed by:

- ☒ Planning Department
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☐ Fire Prevention Department
☐ Planning Director
☐ East Hampton Village Clerk
☐ East Hampton Town Highway Department

Suffolk County Planning Commission

EAF's to be routed with full referrals

- ☐ Zoning, Attn: Chief Planner
☐ Subdivisions, Attn: Principal Planner
PO Box 6100
Hauppauge, NY 11788-0099

- ☐ Suffolk County Department of Health Services
Division of Environmental Quality
Office of Ecology
360 Yaphank Avenue, Suite 2B
Yaphank, NY 11980

- ☐ New York State Department of Transportation, Attn: Permit Engineer CE1
NYS Office Building
Veterans Memorial Highway
Hauppauge, NY 11788

- ☐ Long Island Regional State Park and Recreation Commission
PO Box 247
Babylon, NY 11702

- ☐ NYS Department of State Division of Coastal Resources
Attn: Consistency Review & Analysis
41 State Street
Albany, NY 12231-0001

- ☐ Suffolk County Department of Public Works, Attn: Chief Engineer
335 Yaphank Avenue
Yaphank, NY 11980

- ☐ New York State Department of Environmental Conservation
625 Broadway
Albany, NY 12233-1750

- ☐ New York State Department of Environmental Conservation
Regional Permit Administrator
50 Circle Rd.
SUNY @ Stony Brook
Stony Brook, NY 11790-3409
DEC Permit # _____

- ☐ New York State Department of Environmental Conservation
Bureau of Marine Habitat Protection
Building 40, SUNY
Stony Brook, NY 11790-2356

- ☐ Federal Aviation Administration
Airport Program Manager
600 Old Country Road, Suite 446
Garden City, NY 11530

- ☐ State Clearinghouse
New York State Division of Budget
State Capital
Albany, NY 12224

- ☐ Federal Emergency Management Agency
Regional Director
26 Federal Plaza
New York, NY 10278

- ☐ US Fish & Wildlife Service
Long Island Field Office, Attn: Supervisor
PO Box 608
Islip, NY 11751-0608

- ☐ US Army Corps of Engineers
Manager
26 Federal Plaza, Room 1937
New York, NY 10278-0098

- ☐ Suffolk County Water Authority
Director of General Services
PO Box 38
Oakdale, NY 11769-0901

- ☐ USDA Natural Resource Conservation Service
District Manager
County Center
Riverhead, NY 11901

- ☒ Applicant